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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,721	02/08/2006	Scott Joseph Duggan	PU030254	4064
24498 7590 05/30/2007 JOSEPH J. LAKS, VICE PRESIDENT THOMSON LICENSING LLC PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			EXAMINER KOVAL, MELISSA J	
			ART UNIT 2851	PAPER NUMBER
			MAIL DATE 05/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/567,721

Applicant(s)

DUGGAN, SCOTT JOSEPH

Examiner

Melissa J. Koval

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/8/06

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The rejection set forth in the Office Action of September 19, 2006 is repeated for Applicants' convenience.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee U.S. Patent 6,880,934 B2.

See Figures 2 through 6B.

Claim 1 sets forth: "A mirror adjustment system for a rear projection display (The BACKGROUND ART teaches a personal computer that is well known in the art to be a rear projection system.), comprising:

a mirror (See mirror M);

one or more adjuster screws for attaching the mirror to a mirror

support bracket (See fixing screw 81 for attaching mirror M onto mirror plate 70 by means of coupling hole 73 and holder 78, for example.); and

one or more spring clips affixed to the mirror (See coupling clips 83.),

wherein the one or more adjuster screws and the one or more spring clips work in

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unison to adjust an angle for the mirror relative to the mirror support bracket." See column 5, lines 30 through 43. Adjustment of mirror plate 70 that holds mirror M and associated elements are described therein.

Claim 5 is rejected for the same reasons already applied in the rejection of claim 1 above. Furthermore, see the prior art projection system shown in Figure 1.

With respect to claims 2, 3, 6 and 7 see either the ABSTRACT or INDUSTRIAL APPLICABILITY section of '934 B2 wherein plastic is discussed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee U.S. Patent 6,880,934 B2 in view of Miller U.S. Patent 5,931,440.

Lee '934 B2 teaches all of the elements of claims 4 and 8 except that '934 B2 does not specifically state that spring steel is used for the clips. Miller shows that spring steel is well known in elements such as brackets and spring clips comprised by mirror adjustment systems. See column 5, lines 18 through 39, of Miller '440, for example. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lee '934 B2 to include clips formed of spring steel such as taught by Miller '440, the motivation would be to create a mirror adjustment system that is

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resilient secure and tight and that is not greatly affected by the heat of the projection system.

Response to Amendment

Applicant's arguments filed February 20, 2007 have been fully considered but they are not persuasive.

On page 4 of his remarks, Applicant specifically points to the language "adjust an angle of a mirror relative to the mirror support" as the patentably distinguishing limitation of the claims over Lee. The examiner disagrees that such a patentable distinction is made and asserts that the rejection above should be maintained. Spring clips 83 allow for a certain amount of play between the mirror and plate 70 that are tantamount to a relative adjustment. See the descriptions for Figures 6A and 6B as supported by the rejection above. Furthermore, the mirror as affixed to plate 70 by the spring clips is also adjustable relative to mirror mounting part 60. See column 5, lines 30 through 43 as suggested in the rejection above. Mounting part 60 meets the limitations of a bracket. Therefore the Lee reference accounts for a small amount of relative adjustment between the mirror and the plate and also a much greater relative adjustment between the mirror supported by the plate 70 and the mounting part 60. For these reasons the examiner maintains that the rejection of claims 1-3 and 5-7 under 35 USC 102(e) in view of Lee should be maintained.

On pages 5 and 6 of applicant's remarks, the rejection of claims 4 and 8 under 35 USC 103, Lee in view of Miller, is primarily argued with respect to Lee rather than for the reasons that Lee and Miller are combined, particularly with regard to the materials

taught in Miller. The examiner has just addressed why Lee can still be applied to the claims and therefore asserts that the rejection of claims 4 and 8 above should be maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

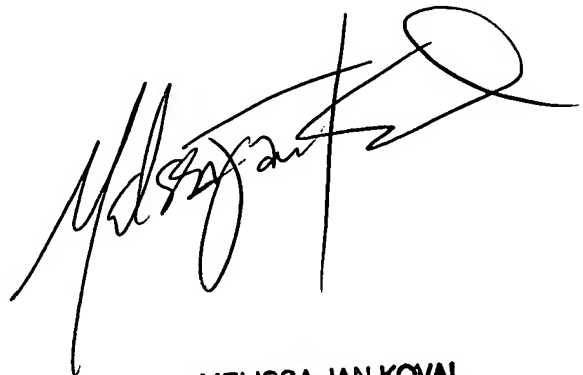
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J. Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571) 272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melissa Jan Koval
Primary Examiner
Art Unit 2851
MJK

A handwritten signature in black ink, appearing to read 'Melissa Jan Koval', with a large, stylized loop at the end.

MELISSA JAN KOVAL
PRIMARY EXAMINER